

Applicant has amended the claims. The claims had been rejected as unpatentable over Winn-Dixie ("Winn-Dixie and the Salvation Army Team Up to Fight Hunger Across the Sunbelt," PR Newswire, January 9, 1989) in view of Fukatsu (US 5,302,811). Claims 1 to 12, 21, 32, 33, 36, 37, 40, 42, 44, 45, 48, 49, and 52 are believed to be distinct and non-obvious from any of the references, alone or in combination, by virtue of "applying means responsive to said remote input and said identifier entering means for applying at least a part of the excess as a credit or debit to an account predetermined on the basis of said identifier, wherein the account in which the excess is placed is determined by the transactor; and said account being identified independent of data in the remote input."; claims 13 to 15, 17 to 19, 34, 35, 38, 39, 41, 43, 46, 47, 50, 51, 53, and 54 by virtue of "crediting or debiting the excess to the account established by the coded identifier, wherein the account in which the excess is applied is determined by the transactor; the account being identified with said coded identifier being independent of said remote input."; and claim 31 and 55 by virtue of "a processor remote from said entry station and responsive to said code reader or keyboard for applying at least a part of the excess as a credit or debit to an account or accounts on the basis of said identifier of said transactor, wherein the account in which the excess is placed is determined by the transactor; and said account or accounts being identified independent of data in the remote input.".

The dependent claims are believed more specifically to be distinct and non-obvious from any of the references, alone or in combination, by virtue of the particular features recited therein.

None of the references, alone or in combination, suggests these features nor in any sense makes the claimed subject matter obvious. In Winn-Dixie the excess always goes into an account that keeps no record of the transactors activities. By contrast, in the present claims, the account, which receives the excess, maintains a record of the transactor's activities. In Winn-Dixie there is no identifier for the customer, and there is no specified account for the customer.

Fukatsu's keyboard and card reader add nothing to Winn-Dixie to make the aforementioned claim language obvious. There would be no place in Winn-Dixie for an identifier. Winn-Dixie is a system that has no intention of keeping track of individual customer donations. There would be nothing to suggest record keeping for the customer. The two are incompatible. In the references there is no hint or motivation for Winn-Dixie to use Fukatsu's card reader. Winn-Dixie has no intention of keeping track of individual customer donations. Winn-Dixie and Fukatsu teach away from each other.

The remaining references, not cited against the claims add nothing to the aforementioned to make the claimed subject matter obvious.

As mentioned to the Examiner, the excess has been recited as a credit or debit. This is supported in the specification at least in the paragraph beginning at page 24, line 6.

In view of the above, it is respectfully requested that the claims be allowed and the case passed to issue

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Leo Stanger", written in a cursive style.

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